

## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Amy J. St. Eve	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 1727	DATE	4/4/2008
CASE TITLE	Ronnie Daniels #2007-0064180 v. Chicago Police Department		

## DOCKET ENTRY TEXT:

Plaintiff is given until May 5, 2008, either to file an *in forma pauperis* application on the enclosed form with the information required by § 1915(a)(2) or to pay the full \$350 filing fee. If Plaintiff takes no action by that date, the court will dismiss the complaint without prejudice. The clerk is directed to send Plaintiff an *in forma pauperis* application along with a copy of this order. The clerk is further directed to send a copy of this order to the trust officer at the Cook County Jail. Additionally, Plaintiff failed to submit the complaint on this court's required form. His current complaint is dismissed without prejudice and he is given leave to submit an amended complaint. The clerk is further directed to send Plaintiff the court's amended complaint form. Plaintiff is also given until May 5, 2008, to submit his amended complaint on this form. Failure to comply with all the terms of this order will result in dismissal without prejudice.

[ For further details see text below.]

Docketing to mail notices.

## STATEMENT

Plaintiff filed this case without either paying the filing fee or seeking leave to proceed in forma pauperis. Effective April 26, 1996, the Prison Litigation Reform Act ("PLRA") significantly changed the procedures in prisoner litigation brought without prepayment of the filing fee. This Court requires that persons seeking leave to file in forma pauperis file their motions on a prescribed form. LR 3.3. The form requires inmates to obtain a certificate stating the amount of money they have on deposit in their prison or jail trust fund account. Plaintiff did not use the prescribed form, did not submit the six month trust account statement and did not have the motion certified by an authorized officer at the jail.

To enable the court to make the necessary initial assessment of the filing fee, Plaintiff must submit the required *in forma pauperis* form, and also "submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint or notice of appeal, obtained from the appropriate official of each prison at which the prisoner is or was confined." 28 U.S.C. § 1915(a)(2). If Plaintiff wishes to proceed with this case *in forma pauperis* he must file an *in forma pauperis* application on the form required by the rules of this court together with a certified copy or copies of his trust fund statements reflecting all activity in his accounts in the immediately preceding six-month period.

Additionally, Plaintiff has failed to submit his complaint on the court's form. The clerk is sending him an amended complaint form along with this order. If he wishes to proceed with this case, he must submit an amended complaint on this form by May 5. As with every document filed with the court, the Plaintiff must provide an extra copy for the judge; he must also submit a service copy for each Defendant named in the amended complaint. The Plaintiff is cautioned that an amended pleading supersedes the original complaint and must stand complete on its own. Therefore, all allegations against all Defendants must be set forth in the amended complaint, without reference to the original complaint. Any exhibits the Plaintiff wants the court to consider in its threshold review of the amended complaint must be attached, and each copy of the amended complaint must include complete copies of any and all exhibits. The Plaintiff is advised to keep a copy for his files. If Plaintiff takes no action by May 5, 2008, the court will dismiss the complaint without prejudice. Plaintiff remains liable for the full \$350.

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Courtroom Deputy  
Initials:

stc

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